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November 4, 2022

VIA ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

Re: Sjunde AP-Fonden, et al. v. Gen. Elec. Co., et al., Case No. 17-cv-8457 (JMF)

Dear Judge Furman:

Pursuant to Rules 7(B) and 7(C) of Your Honor's Individual Rules and Practices in Civil Cases ("Individual Practices"), Standing Order 19-MC-583, and Section 6 of the Southern District of New York Electronic Case Filing Rules & Instructions, Class Representatives Sjunde AP-Fonden and The Cleveland Bakers & Teamsters Pension Fund ("Plaintiffs") file this consolidated letter-motion respectfully seeking leave to file with redactions the following contemporaneously filed materials, each of which contains references to and descriptions of materials designated by Defendants as "Confidential" pursuant to the Stipulated Protective Order (ECF No. 227):

- Memorandum of Law In Opposition to Defendants' Motion for Summary Judgment;
- Memorandum of Law In Opposition to Defendants' Motion to Exclude the Testimony of Dr. David I. Tabak;
- Memorandum of Law In Opposition to Defendants' Motion to Exclude the Testimony of S.P. Kothari;
- Memorandum of Law In Support of Plaintiffs' Motion to Exclude Certain Testimony of Christopher J. Russo;
- Memorandum of Law In Support of Plaintiffs' Motion to Exclude the Testimony of Daniel R. Fischel; and
- Memorandum of Law In Support of Plaintiffs' Motion to Strike the Declaration of Daniel R. Fischel.

Plaintiffs also seek to file under seal materials filed in connection with these submissions, which have been designated by Defendants as "Confidential" pursuant to the Stipulated Protective Order,

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as well as Plaintiffs' Response to Defendants' Statement of Material Facts and Plaintiffs' Statement of Additional Material Facts.

On November 1, Plaintiffs asked Defendants to inform them whether Defendants would withdraw their confidentiality designations on the materials referenced in, or submitted in connection with, the aforementioned submissions. As of the time of this filing, Defendants have not withdrawn any of their designations.¹ Accordingly, pursuant to the Stipulated Protective Order, references to such material in Plaintiffs' submissions must be redacted or sealed where appropriate. Pursuant to Rule 7(C)(iii) of Your Honor's Individual Practices, Plaintiffs have contemporaneously filed the aforementioned submissions with redactions and certain supporting materials under seal on ECF.

For these reasons, Plaintiffs respectfully request the Court grant their request for leave to file the aforementioned submissions with redactions and certain supporting materials under seal, pending the Court's evaluation of a letter submission by Defendants explaining and justifying the need to redact or seal references to these documents pursuant to Rule 7(C)(i) of Your Honor's Individual Practices.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Sharan Nirmul". The signature is fluid and cursive, with the first name "Sharan" being more prominent.

Sharan Nirmul

cc: All counsel of record (VIA ECF)

¹ Plaintiffs also seek to file under seal and redact references to two documents produced in this action by non-party McKinsey & Company. On November 1, 2022, Plaintiffs emailed counsel for McKinsey to ask if McKinsey was standing on its confidentiality designations for those two documents. On November 2, 2022, McKinsey's counsel informed Plaintiffs' counsel that McKinsey maintained its confidentiality designations and that, because the documents contained GE's purportedly confidential information, Defendants will address the two McKinsey-produced documents in their forthcoming letter to the Court requesting that certain documents remain redacted or under seal.